

## BABERGH DISTRICT COUNCIL

<b>TO:</b>	<b>BABERGH CABINET</b>	<b>REPORT NUMBER: BCa/22/11</b>
<b>FROM:</b>	<b>Councillor Jan Osborne Cabinet Member for Housing</b>	<b>DATE OF MEETING: 5<sup>th</sup> July 2022</b>
<b>OFFICER:</b>	<b>Gavin Fisk – Assistant Director - Housing</b>	<b>KEY DECISION REF NO. CAB342</b>

### GATEWAY TO HOMECHOICE ALLOCATIONS POLICY REVIEW AND AMENDMENTS

#### 1. PURPOSE OF REPORT

- 1.1 To discuss the proposed amendments to the Gateway to Homechoice, Sub-Regional Allocations Policy for the assessment and Allocation of Social Housing in the Districts.

#### 2. OPTIONS CONSIDERED

- 2.1 The proposed changes are predominantly related to National Legislative or Policy changes, therefore, to ensure compliance with our Statutory Framework, these changes are recommended and there are no other options to consider at this time.

#### 3. RECOMMENDATIONS

- 3.1 To approve the Allocations Policy amendments, as set out in Appendix A of this report.
- 3.2 The Assistant Director for Housing, in consultation with the Portfolio Holder for Housing has delegated authority to make minor changes to the Allocations Policy.

#### REASON FOR DECISION

- 1.1 To ensure that the Allocations Policy meets legal requirements.
- 1.2 To clarify wording in the policy so that key decisions are made fairly and consistently by all Gateway Local Authorities.
- 1.3 Delegated Authority for minor changes to reduce the burden of committee work, improve efficiency and be more responsive to minor changes required.

#### 4. KEY INFORMATION

- 4.1 Gateway to Homechoice is a Choice Based Lettings (CBL) scheme which operates across the following seven local authorities:

- Babergh District Council
- Braintree District Council
- Colchester Borough Council
- East Suffolk Council

- Ipswich Borough Council
- Maldon District Council
- Mid Suffolk District Council

- 4.2 Choice Based Lettings requires people seeking social housing from Local Authorities or Registered Housing Providers to bid for empty homes that are advertised by the relevant landlord. The person with the highest priority who has bid for a given property will generally be made the offer.
- 4.3 Gateway to Homechoice was launched in May 2009; Waveney District Council joined the scheme on 13 January 2011; Suffolk Coastal District Council and Waveney District Council merged on 1 April 2019 and formed East Suffolk Council.
- 4.4 The scheme has one allocations policy which governs which properties applicants are eligible for. It also includes the relative priority applicants are awarded to reflect their need for housing under the policy.
- 4.5 An allocations policy is a legal requirement for bodies allocating social housing. Some categories of applicants are given preference under legislation (called 'Reasonable Preference' categories). These include those with medical or welfare needs to move, homeless households and those living in overcrowded or unsuitable conditions. Other categories of applicants can then be given preference to reflect local circumstances, for example under the existing policy preference is given to existing tenants wanting to move to a smaller property.
- 4.6 Most applicants, apart from those owed the main homeless duty are permitted to bid on properties in all seven local authority areas; controls are also in place to ensure that no more than a certain proportion of homes in one district can be allocated to households migrating inwards from other areas.
- 4.7 The original policy was devised through consultation with members, applicants, tenants and partner organisations during 2008.
- 4.8 The table below sets out the changes made to the Allocations Policy, since its original adoption in 2008/9.

<b>Year</b>	<b>Type of changes made to the policy</b>
2011	Minor changes
2012	Legislative changes made nationally due to the implementation of the Localism Act (2011)
November 2015	Policy was re-written; procedural notes were removed from the policy and instead made into separate procedures for use by Officers
April 2018	Homelessness section of the policy updated to incorporate national changes made in the Homelessness Reduction Act (2017)
April 2019	Minor changes to reflect the merger between Suffolk Coastal District Council and Waveney District Council
Sept 2021	Legislative changes made nationally due to the implementation of new statutory guidance regarding improving access to social housing for victims of domestic abuse in refuges or other type of temporary accommodation and the new Code of Guidance "Allocation of Accommodation: guidance for local authorities".

4.9 The policy has now been reviewed again and a number of minor changes have been made to the policy. Full details of recommended changes are in Appendix A and shown as “Tracked Changes”.

4.10 Areas for review were identified in the following ways:

- Analysis of trends and data from the housing register and lets
- Consultation with the Project Board
- Consultation with frontline staff
- Carrying out a formal review meeting with representatives from all local authority partner and finalising proposed changes to wording with this review group

4.11 In January 2022, the Ministry Department for Levelling Up, Housing & Communities updated their guidance ‘Improving Access to Social Housing for Victims of Domestic Abuse’ and issued new a new ‘Code of Guidance called, Allocation of accommodation: guidance for local authorities’. Both make clear the obligations placed upon local authorities and provides suggestions on how local authorities and housing associations could improve information sharing practices at the tenancy nomination stage where there are safeguarding concerns, including, but not limited to, concerns about domestic abuse. This guidance has also been considered while developing and updating the Allocations Policy.

4.12 Changes made to the Allocations Policy include:

4.12.1 Addition and clarification of wording in relation to domestic abuse;

4.12.2 Adding clear wording regarding Sensitive Lets;

4.12.3 Adding wording regarding Care Leavers and their connection to the districts;

4.12.4 Amending various inconsistencies around homelessness;

4.12.5 Adding clear wording around effective dates for homeless applicants; and

4.12.6 Various minor word amendments to aide consistency across the policy.

4.13 The updated version of the Allocations policy with proposed changes is listed in Appendix A

## **5. LINKS TO CORPORATE PLAN**

5.1 The Allocation of Social Housing aligns with the vision set out in the Homes and Housing Strategy (2019), that everyone should have a suitable home, which enables them to build settled, safe and healthy lives within sustainable and thriving communities.

## **6. FINANCIAL IMPLICATIONS**

6.1 No financial cost to make these changes.

## **7. LEGAL IMPLICATIONS**

7.1 If we fail to make the required legislative changes to the Allocations Policy, then we could be in breach of our statutory duties under Part VI of the Housing Act 1996 (as

amended). Therefore, the changes proposed ensure we meet all relevant Legislative and Policy obligations.

## **8. RISK MANAGEMENT**

8.1 This report is most closely linked with the Council's Corporate / Significant Business Key risks are set out below:

Risk Description	Likelihood	Impact	Mitigation Measures
If the council continues without the proposed policy amendments, it remains at risk of legal challenge.	(1) Highly Unlikely	(3) Bad	Members approved the proposed amendments to the allocation Policy, to ensure it meets all legislative requirements

## **9. CONSULTATIONS**

9.1 Consultation has been carried out with the Gateway to Homechoice Project Board, which is Chaired by Ipswich Borough Council. Vice Chair is East Suffolk District Council.

9.2 Consultation has taken place with frontline staff who are involved in the day to day operational work associated with the Policy.

9.3 A formal review meeting with representatives from all local authority partners affected by the proposed changes has taken place, where specific wording for the Policy was agreed collectively.

9.4 The proposed changes are now being considered by Members at all 7 Local Authorities who are part of the Gateway to Homechoice Partnership.

9.5 The changes proposed ensure the policy meets legal requirements and also clarifies wording in the policy to ensure key decisions are made fairly and consistently by all Gateway Local Authorities. Therefore, there has not been a wider consultation with Members or Applicants.

9.6 When a further review is conducted, if more significant changes are proposed, then a full consultation process will take place, which will include applicants and Members. If minor changes are required, we seek delegated authority for the Assistant Director for Housing in consultation with the Portfolio Holder to approve these.

## **10. EQUALITY ANALYSIS**

10.1 Equality Impact Assessment (EIA) required and attached at Appendix B.

## **11. ENVIRONMENTAL IMPLICATIONS**

11.1 There are no Environmental Implications related to the proposed Policy changes.

## 12. APPENDICES

Title	Location
(a) Revised Allocations Policy for the Gateway to Homechoice (with the Tracked Changes)	Attached – Appendix A
(b) Equality Impact Assessment	Attached – Appendix B

## 13. BACKGROUND DOCUMENTS

### 13.1 Current Gateway to Homechoice Allocations Policy

<https://www.gatewaytohomechoice.org.uk/content/Information/AllocationsPolicy2021>

### 13.2 Allocation of Accommodation Guidance for Local Authorities

<https://www.gov.uk/guidance/allocation-of-accommodation-guidance-for-local-authorities>

### 13.3 Care Leavers Covenant

[Ministry of Housing, Communities & Local Government: Care Leaver Covenant offer - GOV.UK \(www.gov.uk\)](#)

### 13.4 Domestic Abuse Guidance

[Improving access to social housing for victims of domestic abuse - GOV.UK \(www.gov.uk\)](#)

## 14. REPORT AUTHORS

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